

REMARKS

Claims 1-3 and 11-16 are withdrawn. Claims 5-7, 9 and 10 have been indicated as allowable if rewritten in independent form. These claims have been so amended. The only two rejected claims are Claims 4 and 8, which claims have been amended to clarify the present invention.

Claim 4, as now amended, is to a device for forming a vessel body from a molding material which has an open top negative mold, a ring-shaped lid member for the negative mold with an inside diameter which is smaller than an open top diameter of the negative mold, and a rotary trowel, having cylindrically shaped working surfaces. The rotary trowel is mechanically fixed to move against an inner surface of the negative mold within a predetermined range to press and spread the molding material on the inner surface of the negative mold and is at least longer than a height of an inner wall surface of the vessel body to be formed. A rotary trowel drive is also provided. Claim 8, has, in addition, a shave stand for filling the negative mold. Such an arrangement is not taught or suggested in the cited references.

Reconsideration and removal of the rejection of Claim 4 as anticipated under 35 U.S.C. §102(b) by Harter (U.S. Patent No. 4,395,220) and of Claim 8 as obvious under 35 U.S.C. §103(a) in view of a combination of Harter and British Patent 1,534,807 are respectfully requested in view of the amendments to Claim 4 and the following remarks.

The Office Action alleges that Harter teaches a molding apparatus having an open top negative mold (30), a rotary trowel with cylindrical working surface (14), a ring-shaped lid member (32) with an inside diameter smaller than an open top diameter of the negative mold, and a rotary trowel drive (36),

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wherein the trowel moves against an inner surface of the negative mold and is at least longer than a height of an inner wall surface of the product.

The apparatus of Harter is for forming construction blocks. The alleged rotary trowel (14) is used by Harter to remove a cement mixture from a solidly formed block formed of the cement mixture. The alleged rotary trowel (14) is lowered into the solidly formed block in a vertical direction, which is substantially parallel to sides of mold (30). Since the rotary trowel moves parallel to sides of the mold, the alleged rotary trowel (14) does not move against an inner surface of the negative mold, as defined in Applicants' Claim 4.

Also, it appears as though the Office Action has mischaracterized the apparatus of Harter in another way, as Harter does not appear to disclose a ring-shaped lid member, and a rectangular-shaped mold cannot properly be said to have an open top diameter.

Claim 4 has been amended to more clearly define the arrangement of the rotary trowel. In particular, the pressing and spreading performed by the rotary trowel, as disclosed at page 3, line 28 to page 4, line 3 of the present specification.

The teachings of the British patent do not cure the deficiencies of Harter and Claim 8 is believed to be patentable as dependent upon Claim 4.

In view of the present amendments to the claims and the above remarks, Applicants' claims 4 and 8, in addition to Claims 5-7, 9 and 10, are believed to be patentable and early action towards allowance thereof is respectfully requested.

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If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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